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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,674	09/09/2003	Mooi Choo Chuah	Chuah 73-19 (LCNT/125735)	2217
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PATTERSON & SHERIDAN, LLP/ LUCENT TECHNOLOGIES, INC 595 SHREWSBURY AVENUE SHREWSBURY, NJ 07702				
EXAMINER				
HUYNH, CHUCK				
ART UNIT		PAPER NUMBER		
2617				
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10/21/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/658,674

Applicant(s)

CHUAH ET AL.

Examiner

CHUCK HUYNH

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/4/2008 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

Regarding the amendment in claims 1-7, disclosing the network to be a WLAN and the WLAN gateway to be a WLAN WLAN gateway, Examiner would like to assert that Patel does disclose the possibility of the network being a WLAN network as shown in Col 6, lines 1-6.

However, to be more concise, Examiner used Reynolds et al. (US 2002/0196763) to disclose a WLAN registering wireless wireless access points for the

network [0004]-[0006]: wherein the WLAN WLAN gateway is the master wireless communication server.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matturi et al. (US Patent 6,574,208) in view of Patel et al. (US Patent 7,031,266) in further view of Reynolds et al. (US 2002/0196763; hereinafter Reynolds).

Consider claim 1, Matturi et al. discloses a method for registering at least one wireless access point in a wireless local area network (WLAN), comprising:

broadcasting from a WLAN gateway, a discovery message to said at least one wireless access point in said network (*base station controller, which acts a WLAN gateway to the network, and the network element find and identify each other – Figure 5 – Abstract; Column 4, Lines 45-59; Column 6, Lines 37-67*);

receiving at said WLAN gateway, from at least one wireless access point receiving said discovery message, an wireless access point registration response comprising wireless access point information (*WLAN gateway is selected and identification information about the wireless access point is communicated – Column 5, Lines 9-17; Column 7, Lines 21-48*); and

storing said wireless access point registration request information at said WLAN gateway (*read as the base station controller receiving this information*).

However, while Matturi et al. disclose setting up on a network device, such as an wireless access point, with a WLAN gateway, they disclose that the wireless access point sends a registration response containing the valid registration information. In related art, Patel et al. discloses that the wireless access point transmits a registration

request including wireless access point location, IP address, MAC address, radio type, and power level information of said wireless access point to the central server acting as a WLAN gateway in order to establish connection (*parameters that are negotiated are shown in column 7, Lines 15-52 and Column 14, Lines 1-8; in response to discovery messages, wireless routers send requests for connection and negotiate parameters – Column 2, Lines 3-11 and 44-50; Column 6, Lines 49-60; Column 8, Lines 9-39; Column 12, Lines 12-31; Column 13, Lines 3-13; Column 14, Lines 33-67; Column 18, Lines 17-45*).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Patel et al. with those of Matturi et al. in order to allow the wireless access point to request connection and be provided with appropriate configuration.

Additionally, the Examiner takes Official Notice that while the use of a MAC address is not specifically noted, it is well known in the art of wireless networking to utilize a MAC address as a unique identifier.

Even though Patel discloses the system possibly being a WLAN (Col 6, lines 1-6), to be more concise, Examiner has combined Reynolds et al. (US 2002/0196763) to disclose a WLAN registering wireless wireless access points for the network [0004]-[0006]: wherein the WLAN WLAN gateway is the master wireless communication server, for all the claims.

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Reynolds' disclosure of registering wireless wireless access

points within a WLAN to provide communication connectivity within a WLAN environment.

Consider **claim 2**, as applied to claim 1 above, Matturi et al. as modified by Patel et al. discloses that each wireless access point selects a random delay prior to sending said wireless access point registration request to said broadcasting WLAN gateway (*read as each wireless access point communicates on a different time slot to prevent collision and each has a unique delay*).

Consider **claim 3**, Matturi et al. discloses a method for registering at least one wireless access point in a wireless local area network (WLAN), comprising:

broadcasting a WLAN gateway discovery query message from said at least one wireless access point (*wireless access point seeks out the base station controller acting as the WLAN gateway – Figure 6 – Column 6, Lines 63-67 and Column 7, Lines 1-6*);

receiving from said at least one WLAN gateway, a respective service discovery message (*base station controller, which acts a WLAN gateway to the network, and the network element find and identify each other – Figure 5 – Abstract; Column 4, Lines 45-59; Column 6, Lines 37-67*);

selecting an appropriate WLAN gateway in an instance where more than one service discovery message is received and sending an wireless access point registration response comprising wireless access point information to said selected WLAN gateway (*WLAN gateway is selected and identification information about the*

wireless access point is communicated – Column 5, Lines 9-17; Column 7, Lines 21-48).

However, while Matturi et al. disclose setting up on a network device, such as an wireless access point, with a WLAN gateway, they disclose that the wireless access point sends a registration response containing the valid registration information. In related art, Patel et al. discloses that the wireless access point transmits a registration request including wireless access point location, IP address, MAC address, radio type, and power level information of said wireless access point to the central server acting as a WLAN gateway in order to establish connection (*parameters that are negotiated are shown in column 7, Lines 15-52 and Column 14, Lines 1-8; in response to discovery messages, wireless routers send requests for connection and negotiate parameters – Column 2, Lines 3-11 and 44-50; Column 6, Lines 49-60; Column 8, Lines 9-39; Column 12, Lines 12-31; Column 13, Lines 3-13; Column 14, Lines 33-67; Column 18, Lines 17-45).*

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Patel et al. with those of Matturi et al. in order to allow the wireless access point to request connection and be provided with appropriate configuration.

Additionally, the Examiner takes Official Notice that while the use of a MAC address is not specifically noted, it is well known in the art of wireless networking to utilize a MAC address as a unique identifier.

Even though Patel discloses the system possibly being a WLAN (Col 6, lines 1-6), to be more concise, Examiner has combined Reynolds et al. (US 2002/0196763) to disclose a WLAN registering wireless access points for the network [0004]-[0006]: wherein the WLAN gateway is the master wireless communication server, for all the claims.

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Reynolds' disclosure of registering wireless access points within a WLAN to provide communication connectivity within a WLAN environment.

Consider **claim 4**, as applied to claim 3 above, Matturi et al. as modified by Patel et al. discloses that said selecting further comprises:

determining if said wireless access point is currently registered and sending said service discovery message to said wireless access point (*Figure 5 – Abstract; Column 4, Lines 45-59; Column 6, Lines 37-67*).

Consider **claim 5**, as applied to claim 3 above, Matturi et al. as modified by Patel et al. discloses that said selecting comprises:

determining an appropriate WLAN gateway using at least one of the following: a cost of using a WLAN gateway, a load at a WLAN gateway, and system features provided by a WLAN gateway (*read as a connection is established to the WLAN gateway which provides connection service to the respective wireless access point*).

2. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matturi et al. (US Patent 6,574,208) in view of Patel et al. (US Patent Application Publication 2003/0105839) further in view of Reynolds in futher view of Barber et al. (US Patent Application Publication 2004/0078598).

Consider **claim 6**, as applied to claim 3 above, Matturi et al. as modified by Patel et al. discloses that said performing an wireless access point registration but fails to specifically disclose that an wireless access point registration request further comprises sending security information in said wireless access point registration request.

In related prior art, Barber et al. discloses a system which manages wireless wireless access points by using a centralized server where the wireless access point exchanges keys with the centralized server (which acts as a WLAN gateway to the communication network) in order for the server to be able to aid in authenticating users and provide secure communications which can be differentiated form surrounding networks (*Figure 11, Page 9, Paragraph 0101 and 0108; Page 10, Paragraph 0110*).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the teachings of Barber et al. with those of Matturi et al. as modified by Patel et al. in order to provide a secure way for the controlling and provisioning of wireless access point services.

Consider **claim 7**, as applied to claim 6 above, Matturi et al. as modified by Patel et al. and further by Barber et al. discloses that said each wireless access point selects a random delay prior to sending said wireless access point registration request to said

WLAN gateway (*read as each wireless access point communicates on a different time slot to prevent collision*).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUCK HUYNH whose telephone number is (571)272-7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Eisen can be reached on 571-272-7687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chuck Huynh

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/Alexander Eisen/
Supervisory Patent Examiner, Art Unit 2617